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HOUSE BILL 3436 By
Kisber

SENATE BILL 3435
By Carter

AN ACT to amend Chapter 50 of the Private Acts of 1941, as amended by Chapter 243 of the Private Acts of 1982, Chapter 156 of the Private Acts of 1986, Chapter 101 of the Private Acts of 1989 and to amend Chapter 212 of the Private Acts of 1990, relative to the General Sessions Court of Madison County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 50 of the Private Acts of 1941, as amended by Chapter 243 of the Private Acts of 1982, Chapter 156 of the Private Acts of 1986, and Chapter 101 of the Private Acts of 1989, is amended by deleting from Seciton 17 the third and fourth paragraphs and substituting instead the following language:

As of July 1, 1998, the juvenile court clerk of Madison County shall act as clerk of the court of general sessions for all matters involving juvenile cases, probate cases and the proceedings thereto. Before July 1, 1998, the county clerk shall transfer all files, records and other documents pertaining to probate matters in Madison County to the juvenile court clerk.

The fees, commissions, emoluments, duties, authority and responsibilities of the clerks of the court of general sessions shall be the same as provided by general law of a court of general sessions, a clerk of a juvenile court and a clerk of probate clerk.

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Nothing contained in this act shall be construed to effect or alter the duties, responsibilities, fees and jurisdictions of the clerk of the probate, juvenile or general sessions courts of Madison County, except as contained herein. The circuit court clerk shall continue to serve as clerk in all other matters within the jurisdiction of the general sessions court.

SECTION 2. Chapter 212 of the Private Acts of 1990, is amended in Section 1 by adding the following new subsection:

(g) Effective July 1, 1998, the juvenile court clerk shall act as clerk of general sessions for all matters involving probate cases and proceedings. As to these probate duties, the fees, commissions, emoluments, duties, authority and responsibilities of the juvenile court clerk shall be the same as provided by general law for a clerk of a probate court.

SECTION 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Madison County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified to the secretary of state.

SECTION 5. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 4.